

City of York Council
Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Place		
Service Area:	Environmental Protection		
Name of the proposal :	Fourth Air Quality Action Plan (AQAP4)		
Lead officer:	Mike Southcombe		
Date assessment completed:	November 2023 (last updated 29.04.2024)		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Andrew Gillah	Principal Environmental Protection Officer	CYC	Environmental Protection / Air Quality
Mike Southcombe	Environmental Protection Manager	CYC	Environmental Protection / Air Quality

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	To adopt CYC's Fourth Air Quality Action Plan (AQAP4). AQAP4 outlines 29 actions across 12 priority areas and includes ongoing (and planned) work across the council and with partners to reduce emissions and to improve air quality in York. The Council Executive is asked to consider comments made on the draft AQAP4 during a period of public consultation from 22 November 2023 to 4 February 2024 and to formally adopt the amended AQAP4. The current EIA relates primarily to what is currently known about measures proposed in AQAP4 alongside consultation arrangements. However, it should be noted that when AQAP4's measures are delivered, further EIAs will be needed to accompany specific projects/measures outlined in the document, many of which will be subject to further member approval.
1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	AQAP4 has been produced as part of our statutory duties required by the Local Air Quality Management framework under the Environment Act 1995 (as amended). AQAPs must be prepared in accordance with statutory technical (LAQM.TG22) and policy (LAQM.PG22) guidance as outlined at: https://laqm.defra.gov.uk/guidance/

1.3	Who are the stakeholders and what are their interests?
	<ul style="list-style-type: none"> • Local residents / interested members of the public / visitors to York • Local businesses / businesses that operate in the city and their representatives • Elected members • Statutory consultees as defined in Schedule 11 of the Environment Act 1995 (such as DEFRA, Environment Agency, Director of Public Health, relevant strategic transport bodies, all neighbouring local authorities etc)

1.4	What results/outcomes do we want to achieve and for whom? This section should explain what outcomes you want to achieve for service users, staff and/or the wider community. Demonstrate how the proposal links to the Council Plan and other corporate strategies and plans.
	<p>AQAP4 outlines the action CYC will take to further improve air quality in York over the next 5 years, to go beyond health-based National Air Quality Objectives in all areas of the city and to work towards meeting stricter World Health Organisation (WHO) Guidelines. AQAP4 is fully aligned to the Council Plan and reflects ambitions contained within our 10-Year Strategies covering climate, health and wellbeing and the economy. Measures within AQAP4 have been considered in terms of affordability to the public and each measure balanced against a potential adverse economic impact.</p> <p>AQAP4 supports the aims of the council's Health and Wellbeing Strategy by minimising and reducing public exposure to air pollution and raising public awareness about the impacts of air pollution on health. AQAP4 will also continue to ensure that new developments provide a safe and healthy environment for occupants, support active travel initiatives and help to address health inequalities in the city. AQAP4 firmly embeds the Council Plan's priority of sustainable, accessible transport for all and recognises the important continued role</p>

	<p>of modal shift in air quality improvement. AQAP4 strives to facilitate the uptake of low and zero emission modes of transport to allow York’s residents, workforce and visitors to travel sustainably.</p> <p>AQAP4 additionally embeds the council’s commitment to healthy and affordable (energy-efficient) homes and has been developed to complement CYC’s Climate Change Strategy and support the guiding principles of our Economic Strategy, which aims to build inclusive, healthy and sustainable communities. AQAP4 provides a framework for air quality improvement activities and emission reduction policies. Many AQAP4 measures directly support CYC’s carbon reduction programme and compliment measures to reduce combustion activities generally across the city.</p> <p>AQAP4 contains measures relating to the Local Plan that will build upon previous actions delivered as part of earlier AQAPs for the city. These include the continued development of Low Emission Planning Guidance, to formalise the approach for assessing and mitigating the emissions impacts of new development.</p>
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Step 2 – Gathering the information and feedback

2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.	
	Source of data/supporting evidence	Reason for using
	Public consultation on draft AQAP4	Feedback from interested local organisations and bodies (e.g. residents and local businesses). Widespread consultation on AQAP4 has been undertaken in parallel to the Local Transport Strategy consultation activities.

CYC Environmental Protection	Understanding of associations between air pollution and socioeconomic characteristics, ethnicity and age profiles of neighbourhoods. Air pollution levels are generally higher in less affluent areas and consequently the pollution burden is not evenly shared. The less affluent (and some ethnic minorities) may face higher exposure to pollutants (in some cities) and greater adverse health impacts. This situation is perhaps not as pronounced in York, as inner-city properties (in close proximity to CYC's Air Quality Management Area) tend to cost more and therefore tend not dominated by low-income groups.
Local Transport Plan working group	AQAP4 has been developed in parallel to CYC's draft Transport Strategy. A cross directorate Local Transport Plan (LTP) working group was established in 2021 to progress development of LTP4 and associated sister and daughter documents, including the transport related measures and themes within AQAP4. Measures in AQAP4 have been informed by this working group and other key departments across CYC.
DEFRA Freight Study / Low Emission Deliveries Working Group / Freight Forum	This cross directorate working group led on the review and assessment of options for tackling freight movements across the city, which will be developed throughout the lifetime of AQAP4. In addition, CYC set up a 'Freight Forum' for York, comprising of external stakeholders to share knowledge and advise on freight logistics and a possible strategy for York. The forum consisted of representatives from the freight transport industry, local operators, interest groups, York Civic Trust, the Local Enterprise Partnership and CYC representatives.

<p>Various academic and government research papers and policy documents</p>	<p>DEFRA's National Air Quality Strategy outlines that air quality interventions should be designed in a way which takes account of the disparities in exposure to and impacts from poor air quality. The strategy outlines that local authorities have a duty to publish air quality information regularly and transparently. The government launched the Air Quality Information System review. The remit of the two-year review is to provide a series of actionable, evidence-based improvements which could be made to the government's provision of air quality information.</p>
<p>Consultation with all CYC staff</p>	<p>The consultation was promoted to CYC staff through 'CYC Staff Update' newsletters throughout November / December 2023 and January 2024 and to the wider public via the 'OurCity' newsletters issued by CYC's Marketing and Communications team during the consultation period. The consultation was also extensively promoted via CYC's social media channels (Facebook, X (formerly Twitter), LinkedIn etc) throughout the consultation period.</p>
<p>CYC Access Officer</p>	<p>The consultation approach was discussed with CYC's Access Officer and consultation materials were circulated directly to members of the York Access Forum and wider disabled community to provide opportunities for feedback on the contents of AQAP4.</p>
<p>Consultation with CYC members, including CYC's Economy, Place, Access and Transport Scrutiny Committee</p>	<p>The consultation was sent directly to all CYC councillors on 29 November 2023, with information about to how to respond. In addition, a consultation draft of AQAP4 and outline of the proposed consultation approach and questionnaire was shared with CYC's Economy, Place, Access and Transport Scrutiny Committee on 24 October 2023 (as part of the paper discussing overarching principles for York's overarching Transport Strategy and Plan). Feedback was used to inform the</p>

	consultation activities around AQAP4, such as use of accessible language, opportunities for face-to-face feedback and target setting.
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Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.	
	Gaps in data or knowledge	Action to deal with this
	The current EIA relates primarily to what is currently known about measures proposed in AQAP4, a statutory document.	Throughout AQAP4's 5-year delivery phase further EIAs will be needed to accompany specific projects/measures outlined in the document. This will be progressed on a case-by-case basis, many of which will be subject to further member approval.

Step 4 – Analysing the impacts or effects.

4.1	Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any
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adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.			
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	Whilst air pollution can be harmful throughout life and across all age groups, some people are more affected, perhaps because they are exposed to higher levels of air pollution in their day to day lives, live in polluted areas, or are more susceptible to air pollution related health issues. Young children and older people (65 and older) are considered vulnerable to the impacts of air pollution. Age impacts may also be a consideration in relation to lack of access to digital technology to obtain air quality information that will help to reduce exposure. AQAP4 proposals aim to mitigate these effects so will have a positive impact.	+	H
Disability	People with respiratory illnesses are more adversely affected by poor air quality.	+	H
Gender	Poor air quality is likely to adversely affect the health of the most vulnerable such pregnant women. Impact on pregnant women (and women of childbearing age) due to the impact of air pollution on premature births, reduced birth weights and reduced lung function in children. The proposals aim to mitigate these effects so will have a positive impact.	+	H

Gender Reassignment	No impacts identified	0	-
Marriage and civil partnership	No impacts identified	0	-
Pregnancy and maternity	Poor air quality is likely to adversely affect the health of the most vulnerable such as pregnant women. The proposals aim to mitigate these effects so will have a positive impact.	+	H
Race	No impacts identified	0	-
Religion and belief	No impacts identified	0	-
Sexual orientation	No impacts identified	0	-
Other Socio-economic groups including :	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	No impacts identified	0	-
Low income groups	Potentially a perceived lack of access to digital technology. This would be explored on a case-by-case basis for specific AQAP4 projects.	+	H
Veterans, Armed Forces Community	No impacts identified	0	-
Other	N/A	-	-
Impact on human rights:			

List any human rights impacted.	N/A	-	-
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Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p>High impact (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
No unlawful prohibited conduct or unwanted adverse impact identified	

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:
<ul style="list-style-type: none"> - No major change to the proposal – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review. 	

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.
- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty
- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	Conclusions/justification
No major change to the proposal	The current overarching EIA relates primarily to what is currently known about measures proposed in AQAP4 and the proposed consultation arrangements for the statutory document. However, it should be noted that throughout AQAP4's 5-year delivery phase further EIAs will be needed to accompany specific projects/measures outlined in the document, many of which will be subject to further member approval. No potential for unlawful discrimination has currently been identified and any potential adverse impacts will be appropriately mitigated. Opportunities to advance equality and foster good relations will be sought throughout AQAP4's delivery and reported through individual project EIAs ahead of delivery.

Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
Sub EIAs for specific measures	Produce sub EIAs where relevant for key projects	Core CYC responsible for delivery, which may be Public Protection, Transport, Highways etc	Ongoing / as projects progress

Step 8 - Monitor, review and improve

8. 1	How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	Progress with delivery of measures in AQAP4 must be reported annually to DEFRA via Annual Status Reports (ASR). This report is subject to Executive Member decision prior to submission to DEFRA. Specific AQAP4 projects will be subject to further approval with accompanying EIAs where relevant.